

REMARKS

Claims 1-9 are pending in this application. By this Amendment, claims 1, 2 and 7-9 are amended, and claim 10 is canceled without prejudice to, or disclaimer of, the subject recited therein. Applicant reserves the right to file a divisional application to pursue the subject matter of claim 10. Support for the amendment to independent claim 1 can be found in the specification, for example, at page 23, lines 15-17 and in Fig. 3. Claim 2 is rewritten into independent form, and claims 7-9 are amended for clarity. No new matter is added.

Applicant appreciates the indication that claims 2-4 would be allowable if rewritten in independent form, including all of the features of the base claim and any intervening claims. As discussed above, claim 2 is amended into independent form. Thus, claim 2 is allowable. Additionally, claims 3 and 4, which depend from amended independent claim 2, also are allowable, at least in view of the allowability of independent claim 2, as well as for the additional features these claims recite.

The Office Action rejects claims 1 and 5-9 under 35 U.S.C. §102(b) over U.S. Patent No. 4,383,263 to (Ozawa et al). This rejection is respectfully traversed.

Applicant submits that Ozawa fails to disclose a secondary recovery portion including an ink absorber, which draws and absorbs ink due to a capillary phenomenon from a primary recovery portion by contacting the ink absorber to the primary recovery portion to recover the ink, and a primary recovery portion that is movable between a position where the primary recovery portion contacts the ink absorber and a position where the primary recovery portion is separated from the ink absorber, as recited in independent claim 1.

The Office Action alleges that the second connection path 505 and the liquid-containing means 506 of Ozawa correspond to the claimed primary recovery portion. The Office Acton further alleges that the liquid-absorbing means 526 of Ozawa corresponds to the claimed secondary recovery portion. Applicant respectfully disagrees with these assertions.

In particular, Applicant submits that the liquid-absorbing means 526 (the alleged secondary recovery portion that allegedly includes an ink absorber) of Ozawa is not capable of contacting either the second connection path 505 or the liquid containing means 506 (both are the alleged primary recovery portion) because the liquid-absorbing means 526 is only connected to an outlet 516 via an outflow path 525 (see Ozawa, Fig. 5). That is, the liquid-absorbing means 526 of Ozawa only contacts the outflow path 525 and not the second connection path 505 or the liquid containing means 506 (both are the alleged primary recovery portion). Therefore, the liquid-absorbing means 526 of Ozawa cannot reasonably be considered to correspond to the claimed secondary recovery portion.

Additionally, Applicant submits that the second connection path 505 and the liquid containing means 506 of Ozawa (both are the alleged primary recovery portion) are not movable between a position where either the second connection path 505 or the liquid-containing means 506 contacts the liquid-absorbing means 526 (the alleged secondary recovery portion that allegedly includes an ink absorber) and a position where either the second connection path 505 or the liquid-containing means 506 is separated from the liquid-absorbing means 526, because both the second connection path 505 and the liquid containing means 506 are positioned and fixed separately from the liquid-absorbing means 526 (see Ozawa, Fig. 5). That is, neither the second connection path 505 nor the liquid containing means 506 (both are the alleged primary recovery portion) is capable of being in contact with the liquid-absorbing means 526 (the alleged secondary recovery portion that allegedly includes an ink absorber) and also capable of being separated from the liquid-absorbing means 526.

Therefore, independent claim 1 is patentable over Ozawa. Additionally, claims 5-9 which depend from independent claim 1, also are patentable over Ozawa, for at least the reasons that independent claim 1 is patentable over Ozawa, as well as for the additional

features these claims recite. Accordingly, withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Lenwood Faulcon, Jr.  
Registration No. 61,310

JAO:LXF/mld

Date: March 18, 2008

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

<b>DEPOSIT ACCOUNT USE AUTHORIZATION</b> Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--